



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE  
REFER TO FILE: **C-1**

October 14, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACT  
TOPANGA BEACH BOOSTER PUMP STATION UPGRADE  
UNINCORPORATED COMMUNITY OF FERNWOOD  
(SUPERVISORIAL DISTRICT 3)  
(3 VOTES)**

**SUBJECT**

This action is to award a public works construction contract for Topanga Beach Booster Pump Station Upgrade and authorize the Acting Director of Public Works to execute the contract with the contractor for work involving replacing an aging booster pump station in the unincorporated community of Fernwood.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU:**

Award and authorize the Acting Director of Public Works or his designee to prepare the construction contract in the form previously approved by County Counsel, execute the contract, and establish the effective date following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractor for the following:

- Project ID No. WWD2900009 - Topanga Beach Booster Pump Station Upgrade, to replace aging booster pump station, in the unincorporated community of Fernwood (3), to Schuler Engineering Corporation, in amount of \$2,574,430.00.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to obtain your Board's approval to award this construction contract and authorize the Acting Director of Public Works or his designee to execute the contract and establish the effective contract date following receipt of approved bonds and insurance filed by the contractor for this project.

The attachment includes the project description, the call for bids and bid opening date, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposal are also attached including addenda to the contract specifications for this project.

The recommended construction contract is necessary to execute a Board-directed and approved Department of Public Works (Public Works) project in support of operational missions. Your Board's approval of the recommended contract award and the subsequent execution of the contract will ensure the timely completion of the project.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Service Excellence (Goal 1) and Community Services (Goal 6). Awarding this contract will provide improved infrastructure to better serve the public and will enhance the quality of life in the affected community.

### **FISCAL IMPACT/FINANCING**

The recommended contract amount of \$2,574,430.00 will have no impact to the County General Fund.

The attachment includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

This project is included in the Fiscal Year 2008-09 Accumulative Capital Outlay Fund of Waterworks District No. 29, Malibu.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The contract agreement will be in the form previously reviewed and approved by County Counsel. The recommended contract was solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements. The contractor is in compliance with the Chief Executive Officer's and your Board's requirements.

This contract contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to the lowest responsive and responsible bidder, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation, including, but not limited to licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to the lowest responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor was considered before making this recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

### **ENVIRONMENTAL DOCUMENTATION**

This project was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of this finding are included in the attachment.

### **CONTRACTING PROCESS**

The contract was solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

To further increase contractor awareness of contracting opportunities with Public Works, this project was listed on the County website for upcoming bids.

Public Works will review and approve the faithful performance and payment bonds filed by the contractor.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This construction contract will result in improved public works infrastructure in the community where the work is scheduled.

The Honorable Board of Supervisors  
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**CONCLUSION**

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,

  
DEAN D. EFSTATHIOU  
Acting Director of Public Works

DDE:JTS:lgm

Attachment

c: Chief Executive Office (Lari Sheehan)  
County Counsel  
Office of Affirmative Action Compliance

AWARD OF CONTRACT  
October 14, 2008

PROJECT ID NO. WWD2900009 - TOPANGA BEACH BOOSTER PUMP STATION  
UPGRADE (in the unincorporated community of Fernwood), Supervisorial District 3

TYPE OF WORK: Replacement of an aging booster pump station and the performance  
of other appurtenant work.

CALL FOR BIDS DATE: July 15, 2008 (Agenda Item 37)

BID OPENING DATE: August 26, 2008

BID SUMMARY:

Low	Schuler Engineering Corporation 564 West Bateman Circle Corona, California 92880-2011 (951) 738-9215	\$2,574,430.00
2	Cora Constructors, Inc.	\$2,763,325.00
3	Socal Pacific Construction Corp.	\$2,850,768.00
4	Hobbs-Bannerman, Inc.	\$3,085,905.24
5	ConAm, Inc.	\$3,156,475.00
6	Minco Construction	\$3,237,800.00
7	Environmental Construction, Inc.	\$3,536,230.00
8	*Caliagua, Inc.	\$3,706,224.62

\*MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$2,652,390.00
Amount of recommended contract	\$2,574,430.00
Amount of recommended contract below estimate	\$ 77,960.00

The amount of the recommended contract is 2.9 percent below the estimate.

This project is included in the Fiscal Year 2008-09 Accumulative Capital Outlay Fund of Waterworks District No. 29, Malibu.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Schuler Engineering Corporation has two MWBE subcontractors/suppliers under this contract yielding a proposed MWBE participation of 16 percent.

ENVIRONMENTAL IMPACT:

On July 15, 2008, Agenda Item 37, your Board found this project categorically exempt.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 180 working days. It is estimated the work will start in January and be completed in September 2009.

SK:lgm